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Attorneys for GEICO CASUALTY COMPANY

17 UNITED STATES DISTRICT COURT

18 DISTRICT OF NEVADA

19 KELSIE ARLITZ, individually; GARY
20 ARLITZ, as general guardian of ward KELSIE
ARLITZ; KATIE ARLITZ, as general
21 guardian of ward KELSIE ARLITZ,

22 Plaintiffs,

23 v.

24 GEICO CASUALTY COMPANY; DOES 1
through 100 and ROE CORPORATIONS 1
25 through 100, inclusive,

26 Defendants.

Case No. 2:19-cv-00743-CDS-DJA

**JOINT REQUEST AND STIPULATION,
AND PROPOSED ORDER, TO
CONTINUE MANDATORY
SETTLEMENT CONFERENCE
PENDING A VOLUNTARY
SETTLEMENT CONFERENCE WITH
RETIRED JUSTICE NANCY M. SAIITA**

Case No. 2:19-cv-00743-CDS-DJA

JOINT REQUEST AND STIPULATION, AND PROPOSED ORDER, TO CONTINUE MANDATORY
SETTLEMENT CONFERENCE PENDING VOLUNTARY SETTLEMENT CONFERENCE WITH RETIRED
JUSTICE NANCY M. SAIITA

1 IT IS HEREBY STIPULATED AND AGREED, by and between Plaintiffs KELSY
2 ARLITZ, individually; GARY ARLITZ, as general guardian of ward KELSY ARLITZ, and KARIE
3 ARLITZ, as general guardian of ward KELSY ARLITZ, through their counsel of record, PRINCE
4 LAW GROUP, and Defendant GEICO CASUALTY COMPANY, through its counsel of record,
5 McCORMICK, BARSTOW, SHEPPARD, WAYTE & CARRUTH LLP and MUNGER, TOLLES
6 & OLSON, LLP, as follows:

7 WHEREAS, on August 08, 2023, the Court ordered “that the parties are to attend a
8 settlement conference before the magistrate judge assigned to this case. Should they fail to settle all
9 of the issues headed for trial, they must file a joint pretrial order in accordance with the local rules
10 of this district no later than 14 days after the final settlement conference.”

11 WHEREAS, on August 14, 2023, the Hon. Magistrate Judge Albregts set a settlement
12 conference for September 21, 2023, at 10:00 A.M.

13 WHEREAS, the parties have previously attended two settlement conferences in this case
14 with Retired Nevada Supreme Court Justice Nancy M. Saitta acting as mediator;

15 WHEREAS, the parties believe that, given Justice Saitta’s familiarity with the parties and
16 history of the case, the parties would benefit from first attending a further settlement conference
17 with Justice Saitta, before they attend a mandatory settlement conference with Judge Albregts;

18 WHEREAS, the parties have reached out to Justice Saitta, and her next available in-person
19 mediation session is October 2, 2023;

20 WHEREAS, counsel for Plaintiffs is, further, not available on September 21, 2023;

21 THEREFORE, the parties STIPULATE and REQUEST that the Court vacate the mandatory
22 settlement conference now set for September 21, 2023, to permit the parties to first attend a further
23 settlement conference with Justice Saitta on October 2, 2023. The parties will provide the Court a
24 status update on the outcome of that conference no later than October 16, 2023. In the event that
25 that settlement conference is unsuccessful, the parties will request in that status report that the Court
26 set a date for a mandatory settlement conference with Judge Albregts. If that later conference, in

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1 turn, is unsuccessful, the parties will prepare a joint pretrial order within 30 days of the mandatory
2 settlement conference with Judge Albregts.

3 Dated: August 16, 2023

PRINCE LAW GROUP

4
5 By: /s/ Dennis M. Prince

6 Dennis M. Prince
7 Nevada Bar No. 5092
8 Kevin T. Strong
9 Nevada Bar No. 12107
10 Attorneys for Plaintiffs

11 Dated: August 16, 2023

McCORMICK, BARSTOW, SHEPPARD,
WAYTE & CARRUTH LLP

12 By: /s/ Jonathan W. Carlson

13 James P. Wagoner
14 Admitted *Pro Hac Vice*
15 Jonathan W. Carlson
16 Nevada Bar No. 10536
17 Attorneys for Defendant

18 **ORDER**

19 **IT IS SO ORDERED.**

20 Dated: August 17, 2023

21 
22 DANIEL J. ALBREGTS
23 UNITED STATES MAGISTRATE JUDGE

24 9296274.1

CERTIFICATE OF SERVICE

I hereby certify that on this 16th day of August, 2023, a true and correct copy of **JOINT REQUEST AND STIPULATION, AND PROPOSED ORDER, TO CONTINUE MANDATORY SETTLEMENT CONFERENCE PENDING A VOLUNTARY SETTLEMENT CONFERENCE WITH RETIRED JUSTICE NANCY M. SAITTA** was served via the United States District Court CM/ECF system on all parties or persons requiring notice.

By /s/ Cheryl A. Schneider
Cheryl A. Schneider, an Employee of
McCORMICK, BARSTOW, SHEPPARD,
WAYTE & CARRUTH LLP